

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STEPHEN D. BARTOS	:	CIVIL ACTION NO. 1:08-CV-366
Plaintiff	:	(Chief Judge Kane)
	:	(Magistrate Judge Carlson)
v.	:	
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
ET AL.	:	
Defendants	:	

ORDER

Before the Court in the captioned action is a May 25, 2011 report of the Magistrate Judge. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1) The Court adopts the Report and Recommendation of Magistrate Judge Carlson.

2) Summary Judgment is entered in favor of Defendants McGinty and McDonnell on all claims.

3) Summary Judgment is entered in favor of Defendant Reisinger on Bartos' procedural due process claims, Fair Labor Standard Act claims, "stigma-plus" liberty interest claims, and Bartos' claims under 42 U.S.C. § 1985(3).

4) Disputed issues of material fact preclude summary judgment on Bartos' First Amendment retaliation claim against Defendant Reisinger and Bartos' state whistleblower statute claims against Defendants Reisinger and Department of Environmental Protection.

5) The Clerk of Court shall defer entering judgment until all claims have been

adjudicated.

6) This case shall be remanded to Magistrate Judge Carlson for further pretrial management.

s/ Yvette Kane
YVETTE KANE, Chief Judge
United States District Court
Middle District of Pennsylvania

Dated: June 16, 2011